

DISCRIMINATION PROHIBITED BY  
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

*“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”*

*§2000d, Title 42 of the United States Code*

*“For the purposes of this subchapter, the term “program or activity” and the term “program” mean all of the operations of -*

*(1)*

*(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or*

*(B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;”*

*§2000d-4a, Title 42 of the United States Code*

The Binghamton Metropolitan Transportation Study (BMTS) is an agency responsible for the conduct of transportation planning for the Binghamton NY-PA Urbanized Area. BMTS is housed by Broome County under a contractual agreement with the New York State Department of Transportation, and is funded through programs of the Federal Highway Administration and Federal Transit Administration. As such, BMTS is covered by Title VI, and may not discriminate in its planning program or in its hiring practices.

Compliance with Title VI of the Civil Rights Act of 1964 is administered by the United States Department of Justice. Information is available at [www.usdoj.gov/crt/cor/coord/titlevi.htm](http://www.usdoj.gov/crt/cor/coord/titlevi.htm)

BMTS is not a direct provider of service to the public, but is subject to Title VI in the following areas:

- ♦ **Employment.** Responsibility for employment decisions for BMTS staff rests with the Broome County Personnel Department, and are governed by New York State civil service rules.
- ♦ **Procurement.** For procurement of professional services, contract award is the responsibility of the Broome County Legislature and Executive, and contract execution is the responsibility of the Broome County Attorney.
- ♦ **Public Involvement.** BMTS is required by federal law [Title 23, §450.316 of the US Code] to provide a variety of opportunities for members of the public and specific stakeholders to participate in the development of transportation plans and programs.
  - **Limited English Proficiency.** BMTS is required by Executive Order 13166 to provide a means for people who have limited proficiency in

reading, speaking, or understanding English to participate in public outreach.

Responsibility for conduct of public involvement rests with BMTS staff, and is governed by the BMTS Participation Plan.

(see [www.gobroomecounty.com/bmts/pdfs/PublicParticipationPlan.pdf](http://www.gobroomecounty.com/bmts/pdfs/PublicParticipationPlan.pdf))

- ♦ **Environmental Justice.** BMTS is required by Executive Order 12898, as implemented by the United States Department of Transportation, to do the following with respect to planning for and programming the use of federal transportation funds for specific projects:
  - To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
  - To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
  - To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Responsibility for analyzing the environmental justice impacts of BMTS plans and programs rests with BMTS staff. Responsibility for adoption of BMTS plans and programs rests with the BMTS Policy Committee.

(see [www.fhwa.dot.gov/environment/ej2.htm](http://www.fhwa.dot.gov/environment/ej2.htm) for more information)

<p style="text-align: center;"><b>HAVE YOU BEEN DISCRIMINATED AGAINST BY THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY?</b></p>
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If you believe you have been the subject of discrimination by the Binghamton Metropolitan Transportation Study on the basis of your race, color, or national origin, you may take the following actions:

- ♦ **Employment:** you may file a complaint with the Broome County Personnel Officer. Complaints shall be submitted in writing to:
  - Broome County Personnel Officer
  - Broome County Office Building
  - PO Box 1766
  - Binghamton NY 13902-1766You may also file a complaint with the Broome County Affirmative Action Officer:
  - Broome County Affirmative Action Officer
  - Office of the County Attorney
  - Broome County Office Building
  - PO Box 1766
  - Binghamton NY 13902-1766
- ♦ **Procurement:** You may file a complaint with the Broome County Affirmative Action Officer. Complaints shall be submitted in writing to:
  - Broome County Affirmative Action Officer
  - Office of the County Attorney
  - Broome County Office Building
  - PO Box 1766
  - Binghamton NY 13902-1766
- ♦ **Public Involvement and Environmental Justice:** You may file a complaint with the Broome County Affirmative Action Officer. Complaints shall be submitted in writing to:
  - Broome County Affirmative Action Officer
  - Office of the County Attorney
  - Broome County Office Building
  - PO Box 1766
  - Binghamton NY 13902-1766

In addition, for any complaint under Title VI, you may file a complaint with the United States Department of Justice. See [www.usdoj.gov/crt/cor/complaint.htm](http://www.usdoj.gov/crt/cor/complaint.htm) for the complaint form and filing instructions, or call toll-free 1-888-848-5306 (Voice or TDD).

A copy of the complaint should be sent to:  
Executive Director  
Binghamton Metropolitan Transportation Study  
PO Box 1766  
Broome County Office Building  
Binghamton NY 13902-1766

Policy Committee Chair  
Binghamton Metropolitan Transportation Study  
PO Box 1766  
Broome County Office Building  
Binghamton NY 13902-1766

The complaint must include:

- ✧ The name, address, and telephone number of the person filing the complaint.
- ✧ The category of the discrimination as detailed above.
- ✧ It must specifically establish the basis upon which the complainant has concluded that discrimination has occurred. Providing detailed information will make it easier to resolve the complaint promptly.

**Notification of Receipt:** The complainant will be notified in writing within 5 working days that the complaint has been received.

**Investigation of Complaint:** The Broome County Attorney will oversee the investigation of the complaint. The Executive Director and staff of the Binghamton Metropolitan Transportation Study will support the investigation as necessary. The investigation of the complaint will be initiated within 15 working days of receipt. The complainant will be notified promptly if additional information is required of them in support of the complaint.

Every effort will be made to complete the investigation of the complaint within 90 days of receipt. If the investigation cannot be concluded within that time, the complainant will be notified; the notification will enumerate the reasons why the deadline was not met, and the schedule for completion.

**Resolution of Complaint:** If the investigation determines that discrimination occurred in the BMTS transportation planning process, plans, or programs, the Broome County Attorney will instruct the Executive Director of BMTS on the modifications required to address the problem.